

GRACE Y. PARK (SBN 239928)
gpark@cpmlegal.com
COTCHETT, PITRE & McCARTHY, LLP
San Francisco Airport Office Center
840 Malcolm Road
Burlingame, CA 94010
Telephone: (650) 697-6000
Facsimile: (650) 697-0577

Attorneys for Relators

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA and
STATE OF CALIFORNIA *ex rel.* DIXIE
SWITZER, AS EXECUTOR TO THE
ESTATE OF TED SWITZER, AND
DIXIE SWITZER

Plaintiffs,

v.

ROBERT C. WOOD, II; *et al.*;

Defendants.

CASE NO. CV 18-8118-CJC (ASx)

STATUS REPORT REGARDING
SETTLEMENT

Complaint Filed: September 19, 2018

1 Relator Dixie Switzer, in her own stead and as executor to the estate of Ted
2 Switzer (“relators”), and defendants Michael Maguire, M.D. and Sean Early, M.D.
3 (“defendants” and collectively with relators, “parties”) provide the following status
4 report regarding the settlement of this action.

5 On January 30, 2024, the parties filed their joint notice of settlement of the
6 entire action. (Dkt. 161). That same day, the Court ordered that the “parties shall file
7 a status report regarding settlement within 90 days of this order or within 5 days of
8 the DOJ’s approval of the tentative settlement, whichever is sooner.” (Dkt. 162).

9 On April 26, 2024, the parties filed their status report (Dkt. 163), which
10 informed the Court that the parties had agreed upon the terms of three separate
11 settlement agreements that had been submitted for approval to the Department of
12 Justice (“DOJ”), the California Department of Justice (“Cal. DOJ”), and the California
13 Department of Insurance (“CDI”) (collectively, “agencies”).

14 On May 23, 2024, the parties filed their second status report (Dkt. 165), which
15 informed the Court that the agencies required additional time to complete their
16 respective review processes for approval.

17 On July 24, 2024, the parties filed their third status report (Dkt. 166), which
18 informed the Court that DOJ and CDI had completed their review processes and have
19 approved the parties’ settlement agreements, but that Cal. DOJ needed additional time
20 to complete its review process due to unforeseen medical and travel issues
21 encountered by the individuals responsible for Cal. DOJ’s review.

22 As of the filing of this fourth status report, Cal. DOJ and CDI have completed
23 their review processes and have approved the parties’ settlement agreements. DOJ,
24 however, inadvertently miscalculated certain settlement amounts due to the fact the
25 Medi-Cal program at issue in this action is jointly funded by the United States of
26 America and the State of California. Accordingly, DOJ needs additional time to obtain
27 revised settlement approval for the recalculated amounts.

28 The parties apologize to the Court for the delay in finalizing the settlement

1 agreements. The parties believe that everyone involved has worked together in good
2 faith to finalize the agreements but have nevertheless encountered unusual roadblocks
3 to finalizing them. The parties accordingly request that they provide an update to the
4 Court by September 27, 2024, by which time the parties hope to have resolved all
5 remaining issues necessary to close this action.

6
7 Dated: August 29, 2024

COTCHETT, PITRE & McCARTHY LLP

8 By: s/Grace Y. Park
9 GRACE Y. PARK
Attorneys for Relators

10 Dated: August 29, 2024

RIMON PC

11 By: s/J. Paul Gignac
12 J. PAUL GIGNAC
13 CLAIRE K. MITCHELL
14 Attorneys for Defendants Michael
Maguire M.D. and Sean Early M.D.